

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

LYON FINANCIAL SERVICES, INC.,

Plaintiff,

vs.

THE VOGLER LAW FIRM, P.C.,  
VINCENT D. VOGLER, ANTHONY K.  
REINER, and EDWARD RADETIC,

Defendants.

Case No. 10-cv-565-JPG-DGW

**MEMORANDUM AND ORDER**

This matter comes before the Court on its own initiative for purposes of case management. Specifically, while several pending Motions to Dismiss (Docs. 14, 17, 18) target Plaintiff's original Complaint (Doc. 2), Plaintiff has since filed an Amended Complaint (Doc. 47) that appears to remedy the concerns cited in said dismissal motions.

"[W]hen a plaintiff files an amended complaint, the new complaint supersedes all previous complaints and controls the case from that point forward." *Massey v. Helman*, 196 F.3d 727, 735 (7th Cir. 1999); *Wellness Cmty.-Nat'l v. Wellness House*, 70 F.3d 46, 49 (7th Cir. 1995) ("[I]t is well established that the amended pleading supersedes the original pleading.").

Being fully advised of the premises, especially the content of the underlying motions and precedent promulgated by the Seventh Circuit Court of Appeals, the Court **DENIES as moot** Defendants' Motions to Dismiss (Docs. 14, 17, 18).

**IT IS SO ORDERED**  
**DATED: March 24, 2011**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**